



**An Roinn Cumarsáide,
Fuinnimh agus Acmhainní Nádurtha
Baile Átha Cliath 2.**

**Department of Communications,
Energy and Natural Resources
Dublin 2.**

November 2014

TJ McIntyre,
Director,
Digital Rights Ireland,

FOI Request Reference: FOI/2014/51

Dear Mr McIntyre,

I refer to your freedom of information request received in this Department on 24th October, 2014 relating to ISP level internet filtering or blocking.

As discussed with my colleague on 24th November we have confined the scope of your request to illegal material associated with Directive 2011/92/EU. We have omitted any matters of public record, but have endeavoured to provide as much general material associated with ISP level blocking of illegal material online, as possible.

On this basis, I have considered your request and I have identified 27 relevant records, 7 of which I am refusing for reasons outlined in the schedule. The schedule of the record(s) relevant to your request is attached.

I have forwarded you some hard copies of the Internet Content Governance Advisory Group Report for your ease of reference. Please note that any refused material such as minutes of meetings etc. in relation to this will be made publicly available once the implementation report is considered by Cabinet. I would be happy to discuss any element of this reply with you and should you feel this would be helpful please don't hesitate to contact me at 016782906.

If you are not satisfied with this reply, you have the right to appeal this decision. Should you wish to make such an appeal, you can do so by writing to Ms Bridgette Smith, FOI Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Road, Cavan. The appeal is a full and new examination of the matter carried out by a senior member of staff of this Department. Should you want to make such an appeal, please do so in writing, within four weeks.

Yours sincerely,

Justina Corcoran
Cross Media Division

FOI Request Reference: 051 2014

Schedule of Records: Summary of Decision Making

Description of request: Request of records relating to Directive 2011/92/EU and ISP level blocking and filtering of illegal material online

Record No.	Brief Description & Date of Record	File Ref.	No. of Pages	Relevant facts	Findings / conclusions (Public Interest Considerations, (If applicable))	Grant/refuse/part-grant	Basis of Refusal: Section of Act	Record edited/Identify deletions
1.	Email correspondence between DCENR and DJE on transfer of PQ 43778/14 – 13 November 2014		5			Grant		
2.	Email correspondence between DCENR and DJE on transfer of Topical Issue Debate – 13 November 2014		4			Grant		
3.	Briefing Note – German Legislation for the Protection of Children Online – 20 March 2014		3			Grant		
4.	Email correspondence and associated documentation relating to the 2 nd Global Alliance		14			Grant		

	Conference against Child Sexual Abuse Online held in Washington D.C. September 2014 – 7 July 2014							
5.	Email correspondence and associated documentation relating to the Conference on Video and Image Analysis in the fight against child abuse held in Hannover September 2014 – 7 July 2014		12			Grant		
6.	Email correspondence relating to a Daily Mail Press Query – 3 December 2013		2			Grant		
7.	Draft Op Ed piece by Minister Pat Rabbitte on legal and illegal online material – 23 July 2013		2			Grant		
8.	Presentation on Better Internet for Children, Council Audiovisual Working Party, 10 September 2012		17			Grant		
9.	ISPAI email and paper on issues associated with possible ISP blocking of illegal child pornography websites		20			Refuse – Section 32		
10.	Email correspondence on Internet Content Governance Advisory Group meeting with Three Ireland		1			Refuse – Section 29 – Implementation report under preparation and once it has been considered by Cabinet all minutes relating to this process		

						will be made publicly available		
11.	Note of meeting of the Internet Content Governance Advisory Group with Twitter – 1 April 2014		1			Refuse – Section 29 – Implementation report under preparation and once it has been considered by Cabinet all minutes relating to this process will be made publicly available		
12.	Note of meeting of the Internet Content Governance Advisory Group with Google – 26 March 2014		1			Refuse – Section 29 – Implementation report under preparation and once it has been considered by Cabinet all minutes relating to this process will be made publicly available		
13.	Internet Memo via email on the final recommendations of the Internet Content Governance Advisory Group Report – 19 May 2014		5			Refuse – Section 29		
14.	Office of Internet Safety Response to the Internet Content Governance Advisory Group Consultation Process – 14 May		1			Refuse – Section 29		

	2014							
15.	UPC Ireland Response to the Internet Content Governance Advisory Group Consultation Process – 28 March 2014		8			Publicly available at: http://sarcms03:800/NR/exeres/B7D99332-EA95-414D-8181-8C4A05330AAE,frameless.htm?NRMODE=Published		Redaction page 4. Point 12 (a) commercially sensitive
16.	Three Ireland Response to the Internet Content Governance Advisory Group Consultation Process – 18 March 2014		5			Publicly available at: http://sarcms03:800/NR/exeres/B7D99332-EA95-414D-8181-8C4A05330AAE,frameless.htm?NRMODE=Published		
17.	National Parent's Council Response to the Internet Content Governance Advisory Group Consultation Process – March 2014		62			Publicly available at: http://sarcms03:800/NR/exeres/B7D99332-EA95-414D-8181-8C4A05330AAE,frameless.htm?NRMODE=Published		
18.	Facebook's Response to the Internet Content Governance		7			Publicly available at:		

	Advisory Group Consultation Process – 24 March 2014					http://sarcms03:800/NR/exeres/B7D99332-EA95-414D-8181-8C4A05330AAE,frameless.htm?NRMODE=Published		
19.	Digital Rights Ireland Response to the Internet Content Governance Advisory Group Consultation Process – 18 March 2014		6			Publicly available at: http://sarcms03:800/NR/exeres/B7D99332-EA95-414D-8181-8C4A05330AAE,frameless.htm?NRMODE=Published		
20.	Childwatch Response to the Internet Content Governance Advisory Group Consultation Process – 18 March 2014		9			Publicly available at: http://sarcms03:800/NR/exeres/B7D99332-EA95-414D-8181-8C4A05330AAE,frameless.htm?NRMODE=Published		
21.	ISPCG Response to the Internet Content Governance Advisory Group Consultation Process – 14 March 2014		7			Publicly available at: http://sarcms03:800/NR/exeres/B7D99332-EA95-414D-8181-8C4A05330AAE,frameless.htm?NRMODE=Published		

						rameless.htm?NRMODE=Published		
22.	Eircom Response to the Internet Content Governance Advisory Group Consultation Process – 14 March 2014		4			Publicly available at: http://sarcms03:800/NR/exeres/B7D99332-EA95-414D-8181-8C4A05330AAE,rameless.htm?NRMODE=Published		
23.	ISPAI Internet Safety Policies and Tools Currently Applied by ISPAI Members		15			Publicly available at: http://www.dcenr.gov.ie/NR/rdonlyres/E5E9AEA4-1874-4C04-99F3-A96E488313D4/0/ISPAI.pdf		
24.	ISPAI Response to the Internet Content Governance Advisory Group Consultation Process – 18 March 2014		6			Publicly available at: http://sarcms03:800/NR/exeres/B7D99332-EA95-414D-8181-8C4A05330AAE,rameless.htm?NRMODE=Published		

25.	Report of the Working Group in Illegal and Harmful Use of the Internet		95			Publicly available at: http://www.justice.ie/en/JELR/IllegalUseofInternet.pdf/Files/IllegalUseofInternet.pdf		
26.	Report on Online Child Abuse Material: Effective Strategies to Tackle Online Child Abuse Material, Senator Jillian Van Turnhout – September 2013		20			Grant [Publicly available at: https://www.scribd.com/doc/169316613/Van-Turnhout-Report-Effective-Strategies-to-Tackle-Online-CAM-Sept-2013]		
27.	Information Note: Regulation of Online Content by Mobile Network Operators		7			Refuse - Refuse – Section 29, Section 39		

Aine McHugh

From: Louise M. Clarke <LMClarke@justice.ie>
Sent: 13 November 2014 17:38
To: Philip Earley
Cc: Aine McHugh; akfitzpatrick@justice.ie; Darren McArdle; Dave Hanley; Richard Browne
Subject: Re: Transfer of PQ 43778/14

Hi Philip,

We will take this PQ.

Kind regards,

Louise

Louise Clarke
Minister's Private Office
Department of Justice & Equality
94 St. Stephen's Green
Dublin 2

(+353-1-6028323
* lmclarke@justice.ie

From: "Philip Earley" <Philip.Earley@dcenr.gov.ie>
To: <lmclarke@justice.ie>, <akfitzpatrick@justice.ie>,
Cc: "Darren McArdle" <Darren.McArdle@dcenr.gov.ie>, "Richard Browne" <Richard.Browne@dcenr.gov.ie>, "Aine McHugh" <Aine.McHugh@dcenr.gov.ie>, "Dave Hanley" <Dave.Hanley@dcenr.gov.ie>
Date: 13/11/2014 12:20
Subject: Transfer of PQ 43778/14

Louise,

See below.

Philip.

-----Original Message-----

From: Richard Browne
Sent: 13 November 2014 12:08
To: Philip Earley; Aine McHugh
Cc: Dave Hanley

Subject: RE: Transfer of PQ 43778/14

Philip,

The action by the Gardai is being taken under EU Directive 2011/92/EU on "Combating the sexual abuse and sexual exploitation of children and child pornography". This was negotiated entirely within the JHA Council formation, covered by D/Justice, and is being transposed/implemented by that Department in its entirety. As such it is entirely a matter for the Department of Justice - we haven't been engaged in any discussions on the subject.

-----Original Message-----

From: Philip Earley
Sent: 13 November 2014 12:00
To: Aine McHugh
Cc: Richard Browne
Subject: FW: Transfer of PQ 43778/14

Aine,

See below re PQ43778

Philip

-----Original Message-----

From: Louise M. Clarke [mailto:LMClarke@justice.ie]
Sent: 13 November 2014 11:53
To: Philip Earley
Cc: Darren McArdle; Aidan K. Fitzpatrick
Subject: Fw: Transfer of PQ 43778/14

Hi Philip,

We cannot accept. Please see email below.

Kind regards,

Louise

Louise Clarke
Minister's Private Office
Department of Justice & Equality
94 St. Stephen's Green
Dublin 2

(+353-1-6028323
* lclarke@justice.ie

----- Forwarded by Louise M. Clarke/JELR/JSECTOR on 13/11/2014 11:51 -----

From: Siobhan M. McCabe/JELR/JSECTOR
To: Louise M. Clarke/JELR/JSECTOR@JUSTICE,
Cc: Barry P. Quinn/JELR/JSECTOR@JUSTICE, Edward J. Shortt/JELR/JSECTOR@JUSTICE

Date: 13/11/2014 11:35
Subject: Re: Fw: Transfer of PQ 43778/14

Louise,

The Commission for Communications Regulation provides general authorisation for the operation of internet service provider companies in Ireland. ComReg comes under the Department of Communications, Energy and Natural Resources.

Also, DCENR deals with internet content governance. The PQ is asking about ensuring i.e. obliging internet service provider companies to carry out a particular action. Legislation in relation to communications and broadcasting is a matter for DCENR.

For these reasons, I feel that this PQ is appropriate to DCENR.

I can, of course, contribute material in relation to the Memorandum of Understanding which was recently voluntarily entered into by one internet service provider company with the Gardaí.

Regards,

Siobhan

Siobhan McCabe
Department of Justice and Equality
51 St. Stephen's Green
Dublin 2

Ph 6028208

From: Louise M. Clarke/JELR/JSECTOR
To: Hugh F. Boyle/JUSTICE@JUSTICE, Siobhan M. McCabe/JELR/JSECTOR@JUSTICE, Barry P. Quinn/JELR/JSECTOR@JUSTICE,
Date: 13/11/2014 09:31
Subject: Fw: Transfer of PQ 43778/14

Hi all,

Please advise if you can accept this PQ on transfer.

Kind regards,

Louise

Louise Clarke
Minister's Private Office
Department of Justice & Equality
94 St. Stephen's Green

Dublin 2

(+353-1-6028323

* Imclarke@justice.ie

----- Forwarded by Louise M. Clarke/JELR/JSECTOR on 13/11/2014 09:30 -----

From: "Philip Earley" <Philip.Earley@dcenr.gov.ie>
To: <Imclarke@justice.ie>, <akfitzpatrick@justice.ie>,
Cc: "Darren McArdle" <Darren.McArdle@dcenr.gov.ie>
Date: 13/11/2014 09:28
Subject: Transfer of PQ 43778/14

(Embedded image moved to file: pic10893.gif) Louise,

Can you accept this pq on transfer please.

To ask the Minister for Communications, Energy and Natural Resources if he will ensure all internet service providers block websites containing child sexual abuse..

- Michael Colreavy.

* For WRITTEN answer on Tuesday, 18th November, 2014.

Ref No: 43778/14

Regards,

Philip Earley,
Minister's Office,
Dept. of Communications, Energy & Natural Resources,
29-31 Adelaide Rd.,
Dublin 2.
Tel. 01-6782010

Disclaimer:

This electronic message contains information (and may contain files), which may be privileged or confidential. The information is intended to be for the sole use of the individual(s) or entity named above. If you are not the intended recipient be aware that any disclosure, copying, distribution or use of the contents of this information and or files is prohibited. If you have received this electronic message in error, please notify the sender immediately. This is also to certify that this mail has been scanned for viruses.

Tá eolas sa teachtaireacht leictreonach seo (agus b'fhéidir sa chomhaid ceangailte leis) a d'fhéadfadh bheith priobháideach nó faoi rún. Is le h-aghaidh an duine/na ndaoine nó le h-aghaidh an aonáin atá ainmnithe thuas agus le haghaidh an duine/na ndaoine sin amháin atá an t-eolas. Murab ionann tusa agus an té a bhfuil an teachtaireacht ceaptha dó bíodh a fhios agat nach gceadaítear nochtadh, cóipeáil, scaipeadh nó úsáid an eolais agus/nó an chomhaid seo. Más trí earráid a fuair tú an teachtaireacht leictreonach seo cuir, más é do thoil é, an té ar sheol an teachtaireacht ar an eolas láithreach. Deimhnítear leis seo freisin nár aims odh víreas sa phost seo tar éis a scanadh.

--

Aine McHugh

From: Richard Browne
Sent: 03 December 2013 16:23
To: Aine McHugh
Subject: FW: ISPAI blocking information paper
Attachments: ISPAI blocking infopaper 22-11-2006.pdf

From: Richard Browne
Sent: 08 August 2013 11:49
To: Eamonn Molloy
Subject: FW: ISPAI blocking information paper

From: Richard Browne
Sent: 08 August 2013 11:18
To: Simon Nugent; Seana McGearty
Cc: Katherine Licken; Aidan Ryan; Dave Hanley; Eanna O'Conghaile
Subject: FW: ISPAI blocking information paper

Simon, Seana,

Please find attached a copy of the paper on 'blocking' promised by the ISPAI at our recent meeting – The Minister may want to see a copy on his return.

As per Paul Durrant's note below, it is important to be aware that this paper was written in the context of a dealing with illegal material and so issues of scalability (and one supposes, cost) have not been factored into the paper.

Of course the issue of unintended consequences and the legal questions around freedom of speech have also not been addressed in full.

Regards

R Browne

From: Paul Durrant [<mailto:pd@ispai.ie>]
Sent: 07 August 2013 12:09
To: Richard Browne
Subject: ISPAI blocking information paper

Hi Richard,

Please see attached. While this paper is now nearly 7 years old, really not a much has changed from a technical or legal perspective.

In the context of illegal CSAM the main progress has been the acceptance that this list should be compiled and distributed by a government agency – i.e. Garda Síochana with surrounding procedures and they are working on these using an Interpol generated blacklist.

However, I must point out, given that the current discussions are about material that is NOT illegal but age-inappropriate, the scalability of techniques and impact on network throughput in the vastness of the current context have not been covered in this paper.

If you have any questions about the paper, please don't hesitate to call.

Best regards
Paul

Paul Durrant
Chief Executive
Internet Service Providers Association of Ireland
25 Sandyford Office Park
Blackthorn Avenue
Dublin 18

Registered in Ireland - Company Number 285632

Tel: **+353 1 2945280** Fax: **+353 1 2945282** Web: www.ispai.ie

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Aine McHugh

From: Richard Browne
Sent: 13 November 2014 14:40
To: Seana McGearty
Cc: Aine McHugh
Subject: RE: Adjournment Matter for Thursday 20/11/2014

Seana,

I've spoken to her already (as I do regularly) – this is an issue that should go back to that Department, on the record.

RB

From: Seana McGearty
Sent: 13 November 2014 14:27
To: Richard Browne
Cc: Aine McHugh
Subject: Re: Adjournment Matter for Thursday 20/11/2014

Richard,

Would you not think it best to speak with your counterpart directly to battle this out? Or would you prefer I sent the attached through my counterpart?

Seána McGearty
Private Secretary to Minister Alex White
+353 (0)87 66 81 671

Sent from my iPhone

On 13 Nov 2014, at 14:22, Richard Browne <Richard.Browne@dcenr.gov.ie> wrote:

Seana,

They're doing the same on a PQ.

I would suggest going back to them, pointing out that under the Ecommerce Directive blocking is effectively prohibited, the only exemption being created EU Directive 2011/92/EU on "Combating the sexual abuse and sexual exploitation of children and child pornography". This was negotiated entirely within the JHA Council formation, covered by D/Justice, and is being transposed/implemented by that Department in its entirety (including the recent announcement by UPC and the Gardai which have given rise to this). As such it is entirely a matter for the Department of Justice - we haven't been engaged in any discussions on the subject.

Furthermore, the reference in the topic to the "the judicial basis for the implementation of such systems in Ireland and the potential consequences of automated filtering systems" is clearly a reference to the decision of that Department to proceed with the transposition of that Directive without creating a legislative basis for blocking/filtering, as allowed by Article 25(2) of that Directive. The recent announcement by the Gardai and UPC that they were proceeding with such a measure without creating a statutory basis have given rise to concerns being expressed by a number of parties, and is clearly the origin of this topic (and a similar PQ). As such, this is entirely a matter for that Department. We have not now nor have we ever had role in blocking and filtering, simply because we can't.

Regards

RB

From: Seana McGearty
Sent: 13 November 2014 13:36
To: Richard Browne
Subject: Fwd: Adjournment Matter for Thursday 20/11/2014

Richard,

They batting this back to us

Seána McGearty
Private Secretary to Minister Alex White
+353 (0)87 66 81 671

Sent from my iPhone

Begin forwarded message:

From: "Christopher X. Quattrociochi" <CXQuattrociochi@justice.ie>
Date: 13 November 2014 12:07:53 GMT
To: "Seana McGearty" <Seana.McGearty@dcenr.gov.ie>
Cc: "Louise M. Clarke" <LMClarke@justice.ie>
Subject: Fw: Adjournment Matter for Thursday 20/11/2014

Seana

See below. May be better to put officials in contact directly and let them discuss.

Regards

Chris Quattrociochi
Private Secretary to the Minister for Justice & Equality
Dept. of Justice and Equality
94 St. Stephens Green
Dublin 2

Email: chrisq@justice.ie
Ph Dept: +353 1 602 8321
Ph Leinster House: +353 1 700 2041
Ph Mobile: +353 87 2214539
Fax: +353 1 6767797

----- Forwarded by Christopher X. Quattrociochi/JELR/JSECTOR on
13/11/2014
12:07 -----

From: Siobhan M. McCabe/JELR/JSECTOR
To: Christopher X. Quattrociochi/JELR/JSECTOR@JUSTICE,
Date: 13/11/2014 12:05

Subject: Re: Fwd: Adjournment Matter for Thursday 20/11/2014

Chris,

The Senator has cited 'internet blocking systems', 'the judicial basis for the implementation of such systems in Ireland' and 'the potential consequences of automated filtering systems' as topics for the debate.

In relation to 'internet blocking systems', I suggest that DCENR would be better placed to outline the technical issues here.

The target of any 'internet blocking systems' is not specified in the matter for debate but it would, I imagine, include both legal and illegal content on the internet. Legal material would include content deemed inappropriate for children to view, adult pornography (which is not illegal in Ireland) etc. Illegal material would include child pornography material. DCENR deals with internet content governance and internet security. This Department can, of course, contribute material in relation to the Memorandum of Understanding which was recently voluntarily entered into by one internet service provider company with the Gardaí in relation to the blocking of child pornography material only.

In relation to 'the judicial basis for the implementation of such systems in Ireland', I take this to mean the legal basis. By 'implementation' I take this to mean some sort of mandatory system. The Commission for Communications Regulation provides general authorisation for the operation of internet service provider companies in Ireland. ComReg comes under the Department of Communications, Energy and Natural Resources. Legislation in relation to communications and broadcasting is a matter for DCENR.

In relation to 'the potential consequences of automated filtering systems' I would again suggest that DCENR is best placed to comment on this aspect.

Regards,

Siobhan

Siobhan McCabe
Department of Justice and Equality
51 St. Stephen's Green
Dublin 2

Ph 6028208

From: Christopher X. Quattrociochi/JELR/JSECTOR
To: Siobhan M. McCabe/JELR/JSECTOR@justice,
Date: 13/11/2014 07:54
Subject: Fwd: Adjournment Matter for Thursday 20/11/2014

Siobhan

Is the below for us?

Chris

Sent from my iPhone

Begin forwarded message:

From: "Seana McGearty" <Seana.McGearty@dcenr.gov.ie>
Date: 13 November 2014 07:52:06 GMT
To: "Ronan Curran" <Ronan.Curran@Oireachtas.ie>,"Christopher X. Quattrociochi" <CXQuattrociochi@justice.ie>
Cc: Siobhan.Greene@dcenr.gov.ie,Stephanie.Redmond@dcenr.gov.ie,
Grainne.Geraghty@dcenr.gov.ie, Noeleen.Fagan@dcenr.gov.ie,
Darren.McArdle@dcenr.gov.ie,Philip.Earley@dcenr.gov.ie
Subject: Re: Adjournment Matter for Thursday 20/11/2014

Ronan,

This is a matter for dept. Justice, not us.

Regards,

Seána McGearty
Private Secretary to Minister Alex White
+353 (0)87 66 81 671

Sent from my iPhone

On 12 Nov 2014, at 20:01, Ronan Curran <Ronan.Curran@Oireachtas.ie> wrote:

Senator Kathryn Reilly
The need for the Minister for Communications, Energy and Natural Resources to discuss internet blocking systems, the judicial basis for the implementation of such systems in Ireland and the potential consequences of automated filtering systems.

Kind Regards,

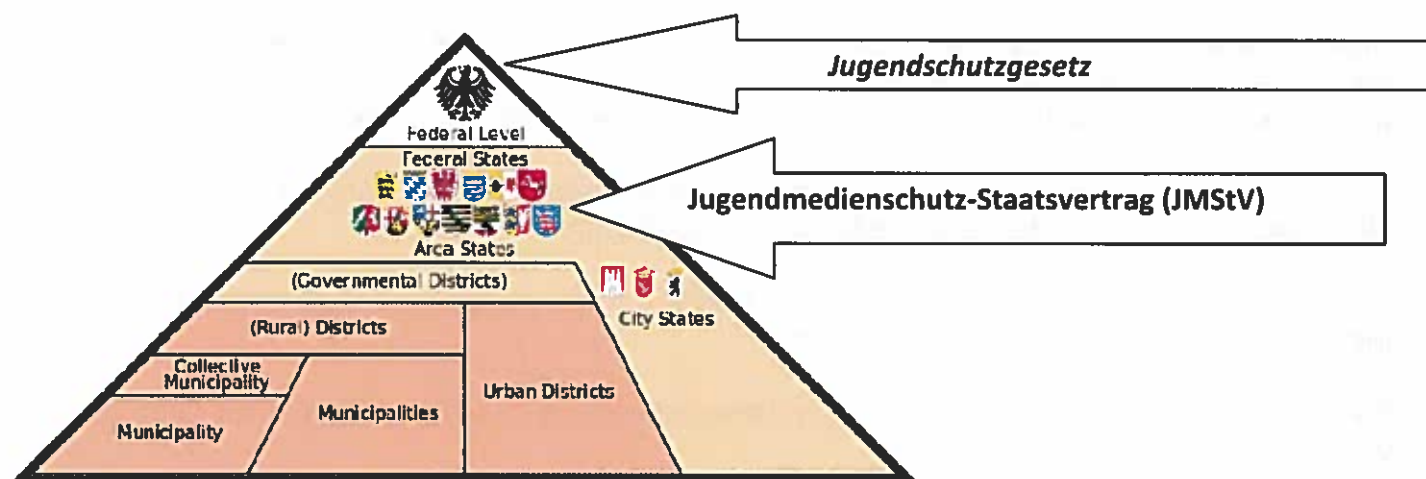
Ronan Curran
Seanad Office
Houses of the Oireachtas
Leinster House
Dublin 2

Tel: +3531 6183955

German Legislation:

The legal basis for the protection of young people online in the German Constitution since 1 April 2003 is:

1. The Federal Government's Youth Protection Act – The ***Jugendschutzgesetz (JuSchG)***¹ – this provides the legal basis for restriction of physical media deemed harmful to young people e.g. DVDs, printed works and defines this “jugendegefährdend” as that which is harmful “to the development of children or young people or to their education as autonomous and socially compatible individuals.” With these types of media defined as “immoral, brutalizing or which provoke violence, crime or racial hatred”.
2. The Interstate Treaty on the Protection of Human Dignity and the Protection of Minors in Broadcasting and Electronic Media – The ***Jugendmedienschutz-Staatsvertrag (JMStV)***² which summarizes broadcasting and electronic media under a single regulatory framework which adheres to a self regulatory principle.



Implementing Bodies:

The JMStV provides for close cooperation between the supervisory/implementing bodies in this area:

- The Federal Department for Media Harmful to Young Persons (BPjM)³,
- The Commission for the Protection of Minors in the Media or Kommission fuer

¹ <http://www.gesetze-im-internet.de/juschg/>

² <http://www.jugendmediensstaatsvertrag.de/faq.html>

³ <http://www.bundespruefstelle.de/bpjm/root.html>

Jugendmedienschutz (KJM)⁴

- Jugendschutz.net⁵

The Federal Department for Media Harmful to Young Persons – Bundesprüfstelle für jugendgefährdende Medien (BPjM)

Paragraph 15 of the JuSchG enumerates the types of content with restricted distribution. Categorisation of these into specific media with restricted distribution is the responsibility of the Federal Department for Media Harmful to Young Persons – Bundesprüfstelle für jugendgefährdende Medien (BPjM). The BPjM examine media for harmful content via a process called Indizierung or Indexing on receipt of an application (Antrag) from:

- A Youth Welfare Office
- An Accredited Non Governmental Youth Organisation
- A Government Body

Whilst an examination must always be performed if requested by a Government body the BPjM has discretion on examination for applications by non Governmental organisations. Individuals or organisations outside the three categories listed above are not permitted to make an Antrag.

The Antrag will not proceed if the work has been rated by the relevant industry body – Filmwirtschaft (film) or Unterhaltungssoftware Selbstkontrolle (software).

The authors, producers or rightsholders are notified of the Antrag and may attend the hearing and can file suit against the decision to index.

The decision on an Antrag is made by a representative body of either three (Dreier-Gremium) or twelve (Zwölfer-Gremium).

Prior to taking decisions an Antrag the BPjM will ask the KJM for a position; the KJM itself can also file applications with the BPjM for content to be listed in the Index.

The Index is publicly available for physical works. It is illegal to publish the Index of virtual works as this is considered publicising their contents⁶.

⁴

<http://www.die-medienanstalten.de/en/profile/organisation/commission-for-the-protection-of-minors-in-the-media-kjm.html>

⁵ <http://jugendschutz.net/>

⁶

http://www.germanlawjournal.com/pdfs/Vol04No06/PDF_Vol_04_No_06_541-557_Public_Lesiching_Safferlin_g.pdf

The JuSchG renders a decision to index as valid for 25 years after which the work must be removed from the index or a fresh proceeding heard.

The legal consequences of a work being indexed are listed in the JuSchG however there is a certain lack of clarity on the implications of restricted circulation for criticism or discussion of indexed works.

Under this system content deemed pornographic is only available legally with age verification controls in place.

The Commission for the Protection of Minors in the Media ("Kommission fuer Jugendmedienschutz" (KJM)

The KJM has responsibility for implementing the provisions set out in the JMStV for assessing commercial broadcasting and media content with a view to the protection of minors. It acts as the central organisation dealing with the protection of minors on commercial television and radio as well as in the internet. Its decisions are implemented by the media authority in charge of the respective content or service provider and are restricted to providers based in Germany.

Under the system of regulated self-regulation, the KJM can certify organisations of voluntary self-regulation. Other areas of competence include examining and approving encryption and other technical systems of content delivery, scheduling transmission times and certifying systems for the protection of minors.

The plenary of the KJM comprises six members appointed by the media authorities, four representatives of the highest state authorities in charge of the protection of minors and two experts appointed by the highest federal authority for the protection of minors.

There are currently 9 working groups of the KJM. Membership of these groups includes KJM staff, external experts and media authorities. They deal with specific issues relating to the legal remit of the KJM.

The decisions of the KJM and of its boards are prepared by examining groups consisting of five members from media authorities, the highest state youth authorities in charge of the protection of minors, the BPjM, jugendschutz.net and the Federal Agency for Civic Education (Bundeszentrale für politische Bildung - BPB).

Jugendschutz.net

The German Youth Ministries founded Jugendschutz.net in 1997 and it has operated under the remit of the KJM since 2003. Its functions include operating the hotline and providing internet research. Jugendschutz.net is member of the international networks INHOPE and INACH.

Aine McHugh

From: Gina Dollard
Sent: 07 July 2014 11:53
To: Richard Browne; Aine McHugh
Cc: James Caffrey
Subject: Invitation for Ireland - Second Ministerial Conference - Global Alliance against Child Sexual Abuse Online
Attachments: pic11337.jpg; pic15457.jpg; Ireland.May.PDF; letter Amb IE.PDF; letter ministers IE.PDF; letter ministers IE.PDF; Ireland.May.PDF; letter Amb IE.PDF; 1. Global Alliance 2014 reporting form.doc

Hi Folks,

Invitation to attend the 2nd Global Alliance conference attached. I was in Brussels last year and assisted in organising the Inaugural conference of the Global Alliance. DJE were the department requested to represent Ireland. At the conference, a declaration was endorsed by attendees, which sets out guiding principles and undertakings in the area of child sexual abuse online. Michael Moran, Interpol at the time, spoke at the conference. My colleague in DG Home Affairs, César Alonso-Iriarte was the lead in the commission on this.

May be of interest or again we can request to be updated by DJE on the event? We can talk directly to DG Home Affairs at any point in the future if required also.

Best regards,

Gina

Department of Communications, Energy and Natural Resources
29-31 Adelaide Road
Dublin 2
Ireland
Tel: +353 (0) 1 678 2233
Mob: +353 (0) 87 962 7663
Email: gina.dollard@dcenr.gov.ie
Web: <http://www.dcenr.gov.ie/>

-----Original Message-----

From: Niall R. von Metzradt [<mailto:NRVonMetzradt@justice.ie>]
Sent: 07 July 2014 11:40
To: Minister's Office INBOX; Billy J. Keane; Deirdre A. Meenan; Barry G. O'Donnell; Ursula M. Stapleton; James Caffrey; Gina Dollard; Liaison_International_Coordination; Dermot M. Woods; Martin M. Power; Genevieve M. Hennessy; John J. Garry; Paul M. O'Farrell; Emma L. Hynes; Louise A. Sullivan; Hugh F. Boyle; Siobhan M. McCabe; Edward J. Shortt; Dermot P. Carney; Brendan D. Sheehy; Paul D. Harper; Deborah C. White; Doncha F. O'Sullivan; George B. Trimble
Cc: Catherine M. Byrne; Kenneth C. Maher
Subject: Invitation for Ireland - Second Ministerial Conference - Global Alliance against Child Sexual Abuse Online

Colleagues

Please see attached -

Regards.

Niall.

Niall R von Metzradt | International Policy Division | Department of Justice and Equality | 7 - 11 Montague Court |
Montague Street | Dublin 2 | (00 353 (0) 1 4768617 | * NRVonMetzradt@justice.ie | * euinfo@justice.ie

(Embedded image moved to file: pic11337.jpg)

Invitation for Ireland - Second Ministerial Conference - Global Alliance against Child Sexual Abuse Online

Enclosed please find an invitation for the Second Ministerial Conference of the Global Alliance against Child Sexual Abuse Online, which will take place in Washington, D.C., USA, on 29 and 30 September 2014. We would be grateful if you could transmit it to the Minister for Justice and Equality of Ireland.

Best regards

Cathrin Bauer-Bulst

Team Leader

Fight against Cybercrime and Child Sexual Abuse

(Embedded image moved to file: pic15457.jpg) European Commission DG Home Affairs Unit A2 - Fight against organised crime and relations with EMCDDA

What we do: <http://ec.europa.eu/dgs/home-affairs/about.htm>

The views expressed in this e-mail are my own and may not be interpreted as stating an official position of the European Commission.

(See attached file: Ireland.May.PDF)(See attached file: letter Amb IE.PDF) (See attached file: letter ministers IE.PDF)

Is le haghaidh an duine nó an eintitis ar a bhfuil sí dírithe, agus le haghaidh an duine nó an eintitis sin amháin, a bheartaítear an fhaisnéis a tarchuireadh agus féadfaidh sé go bhfuil ábhar faoi rún agus/nó faoi phribhléid inti. Toirmisctear aon athbhreithniú, atarchur nó leathadh a dhéanamh ar an bhfaisnéis seo, aon úsáid eile a bhaint aisti nó aon ghníomh a dhéanamh ar a hiontaoibh, ag daoine nó ag eintitis seachas an faighteoir beartaithe. Má fuair tú é seo trí dhearmad, téigh i dteagmháil leis an seoltóir, le do thoil, agus scríos an t-ábhar as aon ríomhaire. Is é beartas na Roinne Dlí agus Cirt agus Comhionannais, na nOifigí agus na nGníomhaireachtaí a úsáideann seirbhísí TF na Roinne seoladh ábhair cholúil a dhícheadú.

Más rud é go measann tú gur ábhar colúil atá san ábhar atá sa teachtaireacht seo is ceart duit dul i dteagmháil leis an seoltóir láithreach agus le mailminder@justice.ie chomh maith.

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you



EUROPEAN COMMISSION
DIRECTORATE-GENERAL HOME AFFAIRS

The Director General

Brussels, 13. 05. 2014
HOME/CBB/vdb/home.a.2(2014)1275074

HE Mr Declan Kelleher
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Ireland to the
European Union
Rue Froissart 50
B-1040 BXL
declan.kelleher@dfa.ie

GLOBAL ALLIANCE AGAINST CHILD SEXUAL ABUSE ONLINE – NEXT STEPS

Your Excellency,

In December 2012, Ministers of Justice and Home Affairs for 48 countries launched the Global Alliance Against Child Sexual Abuse Online, and pledged to sustain and step up our commitment to fight these heinous crimes. In the meantime, the Global Alliance has grown to include 53 countries worldwide. We are very glad to be able to count Ireland among the participants.

In December the first report of the Global Alliance was issued, in which participating states' individual commitments were summarized. We can be proud of the first steps we have completed, and we now have to evaluate what we have achieved and what more can be done to make the fight against child sexual abuse online more effective.

To achieve these objectives, participating countries have committed to **report their progress and actions by July 1, 2014**. To facilitate this exercise, the **attached reporting form** is provided. I would be grateful if you could pass on this form to the competent authority of your country. It is also available online at <http://ec.europa.eu/eusurvey/runner/GlobalAlliance>.

We would also respectfully request an additional contribution. In order to fully inform our political leaders about the nature, magnitude, and global scope of this crime problem, and provide support for the local, national, and international policy changes pertaining to these offenses that are necessary in order to achieve our shared policy targets, it would be useful to **assess the global threat** posed by child pornography and the online enticement of children, as well as the **related law enforcement challenges**.

To support this endeavour, participating countries are requested to **complete the threat and challenge assessment questionnaire** available online at <http://ec.europa.eu/eusurvey/runner/GlobalAlliance>. This questionnaire seeks to obtain information, including emerging trends and issues, from law enforcement agencies

around the globe that are engaged in the investigation of child pornography and enticement offenses. The questionnaire responses will be reviewed and analysed in order to prepare a comprehensive report that assesses the global threat posed by these crimes and analyses the investigative challenges we face. The success of this Global Alliance project depends upon accurate and thorough responses from all member countries. Your participation in this project is therefore strongly encouraged. We expect that all participating countries will benefit from the more complete picture this exercise will provide, as well as from the identification of common obstacles that could potentially be tackled together.

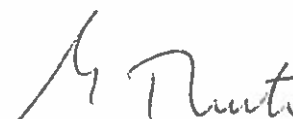
Consistent with last year's reports, it is respectfully requested that all member countries draft their reports and questionnaire responses in English. **All reports and responses to the questionnaire should be submitted by July 1, 2014**, via electronic mail to HOME-GLOBAL-ALLIANCE@ec.europa.eu or online via <http://ec.europa.eu/eusurvey/runner/GlobalAlliance>.

We would also be very grateful if you could appoint a **contact person** responsible for day-to-day contacts on the Global Alliance and inform us of his or her contact details via an email to the same email address (HOME-GLOBAL-ALLIANCE@ec.europa.eu).

A **general report** for the whole of the Global Alliance will summarize the progress reported by member countries and propose – where appropriate – new steps to be agreed at the **next Global Alliance Ministerial Conference**, which will be hosted by the US in the fall of 2014. More information on this **Conference** will be forthcoming shortly.

Let us thank you once more for your efforts in this worldwide endeavour to protect our children from online sexual abuse and to make a difference in their lives. We look forward to continuing our common work to fight these crimes more effectively.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'M. Ruete', with a stylized, flowing script.

Matthias Ruete



EUROPEAN COMMISSION
DIRECTORATE-GENERAL HOME AFFAIRS

The Director General

Brussels, 04 07. 2014
HOME/CAI/vdb/home.a.2(2014)2376753

HE Mr Declan Kelleher
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Ireland to the
European Union
Rue Froissart 50
B-1040 BXL
declan.kelleher@dfa.ie
irlprb@dfa.ie

**GLOBAL ALLIANCE AGAINST CHILD SEXUAL ABUSE ONLINE -
INVITATION TO THE 2ND MINISTERIAL CONFERENCE – WASHINGTON D.C. (USA), 29-30
SEPTEMBER 2014**

Your Excellency,

I would be grateful if you could transmit the letter attached from EU Commissioner Cecilia Malmström and U.S. Attorney General Erik Holder to the Minister for Justice and Equality of Ireland.

It contains an invitation to attend the Second Ministerial Conference of the Global Alliance against Child Sexual Abuse Online, which will be held in Washington, D.C (USA) on 29-30 September.

Yours sincerely,

Matthias Ruete

Brussels, 04.07.2014
EW/is Ares(2014)2376753

Subject: Global Alliance against Child Sexual Abuse Online – Invitation to the 2014 Ministerial Conference

Dear Minister,

The Global Alliance against Child Sexual Abuse Online – and your country as one of its members – has committed to bring about change for the better, as evidenced by the first Global Alliance report we shared with you a few months ago. We would now like to invite you to join us in taking stock of achievements and remaining challenges, and in deciding on the future orientation of the Alliance.

The **Second Ministerial Conference of the Global Alliance** will be held in Washington, D.C (USA) on **29-30 September**. We count on your participation and contribution to set the agenda and goals of the Alliance for the upcoming period.

To provide leaders with the appropriate background to inform discussions, the European Commission has recently requested via your Embassy in Brussels that countries participating in the Global Alliance provide two sets of information by July 1, 2014:

- a) a progress report on the implementation of commitments and further actions;
- b) an assessment of the threats posed by child sexual abuse online and of the main challenges faced by law enforcement in preventing, investigating and prosecuting these crimes.

Furthermore, to facilitate contacts between Global Alliance participants, it is kindly requested that you appoint a contact person if you have not already done so and inform us by email to HOME-GLOBAL-ALLIANCE@ec.europa.eu.

We would appreciate if you could confirm your participation by 1 September. Please send your confirmation to the following e-mail address: Dan.Stigall@usdoj.gov. Further information on the Ministerial Conference will be provided in the near future.

We look forward to seeing you in Washington in September.

Sincerely,

Cecilia Malmström
Commissioner for Home Affairs
European Commission

Eric H. Holder, Jr.
Attorney General
United States of America

Enclosures: May 2014 letter from the European Commission to the Ambassador of Ireland
Reporting Form

Mr Alan Joseph Shatter
Minister for Justice and Equality
Ireland

Global Alliance Against Child Sexual Abuse Online – 2014 Reporting Form

Member countries are invited to use this form and are respectfully requested to respond in English by **July 1, 2014**. Responses should be uploaded to the survey site or sent by electronic mail to HOME-GLOBAL-ALLIANCE@ec.europa.eu. Should you encounter problems with the use of this form or have any questions, please contact us at HOME-GLOBAL-ALLIANCE@ec.europa.eu.

PART 1: PROGRESS REPORT

Please provide the name of the reporting country, the name of the representative and/or government agency that is completing this form, and relevant contact information:

In the chart below, please:

- A) report on the implementation of any measures announced in your country's 2013 report (reports are available at http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/global-alliance-against-child-abuse/index_en.htm);
- B) assess progress made in your country to pursue the shared policy targets and to reach the operational goals of the Global Alliance;
- C) indicate specific actions that your country will undertake as a follow-up.

Policy Target No. 1

Enhancing efforts to identify victims and ensuring that they receive the necessary assistance, support and protection.

Operational Goal: Increase the number of identified victims in the International Child Sexual Exploitation images database (ICSE database) managed by INTERPOL by at least 10% yearly.

A) *Please report on implementation of any measures announced in your country's 2013 report*

B) *Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance*

C) *Please indicate specific actions that your country will undertake as a follow-up*

Policy Target No. 2

Enhancing efforts to investigate cases of child sexual abuse online and to identify and prosecute offenders.

Operational Goal: Establish the necessary framework for the criminalization of child sexual abuse online and the effective prosecution of offenders, with the objective of enhancing efforts to investigate and prosecute offenders.

A) Please report on implementation of any measures announced in your country's 2013 report

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

C) Please indicate specific actions that your country will undertake as a follow-up

Operational Goal: Improve the joint efforts of law enforcement authorities across Global Alliance countries to investigate and prosecute child sexual abuse online.
A) <i>Please report on implementation of any measures announced in your country's 2013 report</i>
B) <i>Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance</i>
C) <i>Please indicate specific actions that your country will undertake as a follow-up</i>

Policy Target No. 3

Enhancing efforts to increase public awareness of the risks posed by children's activities online, including grooming and self-production of images that results in the production of new child pornography that may be distributed online.

Operational Goal: Develop, improve, or support appropriate public awareness campaigns or other measures which educate parents, children, and others responsible for children regarding the risks that children's online conduct poses and the steps they can take to minimize those risks.

A) *Please report on implementation of any measures announced in your country's 2013 report*

B) *Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance*

C) *Please indicate specific actions that your country will undertake as a follow-up*

<p><u>Operational Goal:</u> Share best practices among Global Alliance countries for effective strategies to inform the public about the risks posed by online, self-exploitative conduct in order to reduce the production of new child pornography.</p>
<p>A) <i>Please report on implementation of any measures announced in your country's 2013 report</i></p>
<p>B) <i>Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance</i></p>
<p>C) <i>Please indicate specific actions that your country will undertake as a follow-up</i></p>

Policy Target No. 4

Reducing as much as possible the availability of child pornography online and reducing as much as possible the re-victimization of children whose sexual abuse is depicted.

Operational Goal: Encourage participation by the private sector in identifying and removing known child pornography material located in the relevant State, including increasing as much as possible the volume of system data examined for child pornography images.

A) Please report on implementation of any measures announced in your country's 2013 report

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

C) Please indicate specific actions that your country will undertake as a follow-up

Operational Goal: Increase the speed of notice and takedown procedures as much as possible without jeopardizing criminal investigation.

A) *Please report on implementation of any measures announced in your country's 2013 report*

B) *Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance*

C) *Please indicate specific actions that will be undertaken as a follow-up*

Aine McHugh

From: Gina Dollard
Sent: 07 July 2014 11:40
To: 'Niall R. von Metzradt'
Subject: RE: Invitation to the Conference on Video and Image Analysis in the fight against child abuse, Hannover 16-17 September 2014

Hi Niall,

Thank you for the email. I have spoken to the relevant individuals in the Dept. Having reviewed the agenda, DCENR will not be sending someone to the conference but would like to receive a copy of the minutes from your attendant. If you need any input from DCENR, please do not hesitate to contact me and I can coordinate a response.

Best regards,

Gina

Department of Communications, Energy and Natural Resources
29-31 Adelaide Road
Dublin 2
Ireland
Tel: +353 (0) 1 678 2233
Mob: +353 (0) 87 962 7663
Email: gina.dollard@dcenr.gov.ie
Web: <http://www.dcenr.gov.ie/>

-----Original Message-----

From: Niall R. von Metzradt [<mailto:NRVonMetzradt@justice.ie>]
Sent: 07 July 2014 10:26
To: Billy J. Keane; Deirdre A. Meenan; Barry G. O'Donnell; Ursula M. Stapleton; James Caffrey; Gina Dollard; Liaison_International_Coordination; Dermot M. Woods; Martin M. Power; Genevieve M. Hennessy; John J. Garry; Paul M. O'Farrell; Emma L. Hynes; Louise A. Sullivan
Cc: Catherine M. Byrne; Kenneth C. Maher
Subject: Invitation to the Conference on Video and Image Analysis in the fight against child abuse, Hannover 16-17 September 2014

Cybercrime

Please see attached -

Regards.
Niall.

Niall R von Metzradt | International Policy Division | Department of Justice and Equality | 7 - 11 Montague Court | Montague Street | Dublin 2 | (00 353 (0) 1 4768617 | * NRVonMetzradt@justice.ie | * euinfo@justice.ie

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Invitation to the Conference on Video and Image Analysis in the fight against child abuse, Hannover 16-17 September 2014

Dear JHA Counsellors,

Please find enclosed the invitation to the above mentioned Conference on Video and Image Analysis in the fight against child sexual abuse, that will be held in Hannover on 16-17 September 2014.

You will also find attached the agenda and the registration form to be filled in and sent back before 18 July to HOME-CYBERCRIME@ec.europa.eu.

Thank you very much.

Kind regards,

Martina KUDEROVÁ
Secretary

(Embedded image moved to file: pic21803.jpg) European Commission DG Home Affairs Unit A2 Organised crime and relations with EMCDDA

LX46 03/131
B-1049 Brussels/Belgium
+32 2 297 22 26
martina.kuderovala@ec.europa.eu

(See attached file: Invitation Hannover Conference September 2014.pdf)(See attached file: Agenda.pdf)

Is le haghaidh an duine nó an eintitis ar a bhfuil sí dírithe, agus le haghaidh an duine nó an eintitis sin amháin, a bheartaítear an fhaisnéis a tarchuireadh agus féadfaidh sé go bhfuil ábhar faoi rún agus/nó faoi phribhléid inti. Toirmisctear aon athbhreithniú, atarchur nó leathadh a dhéanamh ar an bhfaisnéis seo, aon úsáid eile a bhaint aisti nó aon ghníomh a dhéanamh ar a hiontaoibh, ag daoine nó ag eintitis seachas an faighteoir beartaithe. Má fuair tú é seo trí dhearmad, téigh i dteagmháil leis an seoltóir, le do thoil, agus scrios an t-ábhar as aon ríomhaire. Is é beartas na Roinne Dlí agus Cirt agus Comhionannais, na nOifigí agus na nGníomhaireachtaí a úsáideann seirbhísí TF na Roinne seoladh ábhair cholúil a dhícheadú.

Más rud é go measann tú gur ábhar colúil atá san ábhar atá sa teachtaireacht seo is ceart duit dul i dteagmháil leis an seoltóir láithreach agus le mailminder@justice.ie chomh maith.

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer. It is the policy of the



EUROPEAN COMMISSION
DIRECTORATE-GENERAL HOME AFFAIRS

Directorate A: Internal security
The Director

Brussels, **27 JUIN 2014**
HOME/A2/AG/mk home.a.2(2014)2322132

JHA Counsellors
Permanent Representations
Member States of the EU

Subject: Invitation to the Conference on Video and Image Analysis in the fight against child sexual abuse - Hannover, 16-17 September 2014

Dear Sir or Madam,

The fight against child sexual abuse online raises considerable challenges partly due to the technological developments that favour the creation, dissemination and sharing of child sexual abuse images and videos among offenders. Furthermore, the psychological toll on law enforcement dealing with these cases is high. There is a genuine need to ensure that actors involved in the fight against these crimes dispose of the appropriate tools to carry out their tasks. At the same time, it appears that they are not always in a position to benefit from the experience and tools developed by their partners in other countries.

To support law enforcement in its endeavour to fight these crimes, Commissioner Cecilia Malmström and Lower Saxony Minister of Interior Boris Pistorius have decided to organise a conference on tools available to law enforcement for the identification, analysis and removal of child sexual abuse images and videos. To provide law enforcement experts with access to the latest developments, experts and project managers will present the results of recent R&D projects in the field.

The conference will take place in Hannover, on 16 and 17 September.

The purpose of the conference is to bridge the gap between the needs of law enforcement authorities and the technological possibilities offered by available tools. The conference should serve to help law enforcement identify the state-of-the-art available tools to perform video and image analysis in the fight against child sexual abuse. Experts, projects managers and academics will be invited to present the results of recent R&D projects and law enforcement will present their colleagues from other EU Member States with the solutions they are implementing.

We enclose a draft agenda for the conference. The final agenda, including the arrangements and slots for presenting the different projects will be communicated directly to the participants at a later stage.

I would like to ask you to appoint experts from your national authorities in charge of fighting child sexual abuse online to participate in the conference. They may thus share their views and expertise and benefit from the presentations.

The European Commission can provide for **travel and accommodation for up to 2 (two) experts appointed per Member State**. Our contracting travel agent will contact the appointed expert directly to arrange travel and accommodation. **Please note that the Commission will not be able to reimburse after the meeting the costs of travel arrangements which were made directly by the participants.**

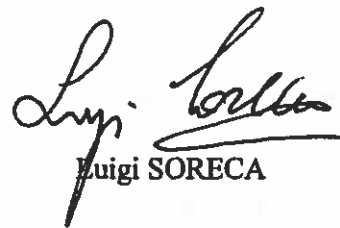
Other interested experts may also attend, to the extent that places are available and they bear their own costs.

I would **also** invite you to pass this invitation to **experts in charge of projects** underway in your country to implement technical tools for image and video analysis, in case you consider that it would be relevant for them to present their tools at the conference. In that case, experts should also fill the part of the enrolment form describing their project.

We would be grateful for speakers, law enforcement experts and experts presenting their projects to register their participation by filling in and sending the enclosed **registration form** by 18 July 2014 to the mailbox **HOME-CYBERCRIME@ec.europa.eu**.

For any questions or comments please contact the European Commission by e-mail at **HOME-CYBERCRIME@ec.europa.eu**, or phone Ms Cathrin Bauer-Bulst on +32-2-2977747, or Mr César Alonso Iriarte on +32-2-2994341.

Yours faithfully,



Luigi SORECA

Enclosure: Draft agenda, registration form

Conference on Video and Image Analysis in the fight against child sexual abuse

Hannover, 16-17 September 2014

Organised by the European Commission and the Ministry of Interior of Lower
Saxony (Germany)

Maritim Airport Hotel Hannover

Draft Agenda (27 June 2014)

DAY 1 16 September 2014

Time	Duration	Topic	Speakers
<i>Plenary session I</i>			
8:30	60 min	Registration by participants	
9:30	10 min	Opening address by EU Commission Representative	
9:40	10 min	Opening address by Niedersachsen Authorities	
9:50	10 min	Introduction to the conference	
		<ul style="list-style-type: none"> - background and purpose of the conference - practical arrangements for the conference 	<ul style="list-style-type: none"> • <u>Chairman</u> (10 min)
10:00	30 min	Overview of Child Sexual Exploitation Online – trends and threats	
		<ul style="list-style-type: none"> - different types of child sexual abuse - trends and threats - technological developments 	<ul style="list-style-type: none"> • <u>Speaker</u> (15 min) • <u>Discussion</u> (30 min)

DAY 1**16 September 2014**

10:30	45 min	Detection, investigation and prosecution	
		- Technological challenges - Technological needs for actors involved	<ul style="list-style-type: none">• <u>Speaker</u> (15 min)• <u>Discussion</u> (30 min)
11:15	15 min	Coffee break	
11:30	45 min	Victim identification and assistance	
		- Technological challenges - Technological needs for actors involved	<ul style="list-style-type: none">• <u>Speaker</u> (15 min)• <u>Discussion</u> (30 min)
12:15	45 min	Reducing the availability of child pornography	
		- Technological challenges - Technological needs for actors involved	<ul style="list-style-type: none">• <u>Speaker</u> (15 min)• <u>Discussion</u> (30 min)
13:00	30 min	Lunch break	

DAY 1

16 September 2014

Breakout session I – Thematic seminars

Breakout sessions for 3 blocks projects

The definitions of the 3 blocks will be done at a later stage, in view of the projects that will have confirmed their participation. The aim should be to have a balanced distribution of projects between the breakout groups.

This could be an example of distribution

<i>Example block 1 – Victim identification</i>	<i>Breakout room 1</i>
<i>Example block 2 – Image and video management</i>	<i>Breakout room 2</i>
<i>Example block 3 – Network analysis, behaviour assessment, prevention, other functionalities</i>	<i>Breakout room 3</i>

For each of the blocks:

14:00	50 min	<i>(A-Projects implemented by police)</i>	
14:00	25 min	Project A.1	<ul style="list-style-type: none">• <u>Speaker</u> (15 min)• <u>Discussion</u> (30 min)
14:25	25 min	Project A.2	<ul style="list-style-type: none">• <u>Speaker</u> (15 min)• <u>Discussion</u> (30 min)
14:50	10 min	Coffee break	
15:00	50 min	<i>(B-Products developed by industry)</i>	
15:00	25 min	Project B.1	<ul style="list-style-type: none">• <u>Speaker</u> (15 min)• <u>Discussion</u> (30 min)
15:25	25 min	Project B.2	<ul style="list-style-type: none">• <u>Speaker</u> (15 min)• <u>Discussion</u> (30 min)
15:50	10 min	Coffee break	

DAY 1**16 September 2014**

16:00	50 min	<i>(C-Relevant scientific research)</i>	
16:00	25 min	Project C.1	<ul style="list-style-type: none">• <u>Speaker</u> (15 min)• <u>Discussion</u> (30 min)
16:25	25 min	Project C.2	<ul style="list-style-type: none">• <u>Speaker</u> (15 min)• <u>Discussion</u> (30 min)
17:00		End of day 1	
17:30		Rahmenprogram	To be organised by Niedersachsen authorities

DAY 2**17 September 2014*****Breakout session II – Demonstrations at stands***

Different projects will set up stands to show live demos (to the extent possible).

Participants interested in knowing more about them will tour the stands and attend presentations. They are expected to last for about 45 minutes.

The number of project stands, and the number of demonstrations per project will be defined on the basis of the number of participating projects

9:30	45 min	1 st round of presentations at project stands	Number of project stands, and number of demos per project to be defined on the basis of participants
10:15	45 min	2 nd round of presentations at project stands	
11:00	15 min	Coffee break	
11:15	45 min	3 rd round of presentations at project stands	
12:00	45 min	4 th round of presentations at project stands	
12:45	1 hour and 15 minutes	Lunch break	

DAY 2**17 September 2014**

<i>Plenary session II</i>			
14:00	45 min	The present: overview of thematic seminars and demonstrations at stands	
			<ul style="list-style-type: none">• <u>Chairman</u> (15 min)• <u>Discussion</u> (30 min)
14:45	45 min	The future: what else is needed, what else is possible	
		<ul style="list-style-type: none">- Technological challenges- Technological needs for actors involved- possible technological developments of tools	<ul style="list-style-type: none">• <u>Speaker</u> (15 min)• <u>Discussion</u> (30 min)
15:30	15 min	Coffee break	
15:45	45 min	Next steps: how to ensure dissemination, cross-fertilisation and improvement of operations	
		<ul style="list-style-type: none">- partnerships- repositories of tools- licences	<ul style="list-style-type: none">• <u>Speaker</u> (15 min)• <u>Discussion</u> (30 min)
16:30	15 min	Concluding remarks	
			<ul style="list-style-type: none">• <u>Chairman</u> (15 mins)
16:45		End of the conference	

REGISTRATION FORM

Conference on Video and Image Analysis in the fight against child sexual abuse

Hannover, 16-17 September 2014

Maritim Airport Hotel Hannover

Please write in **CAPITAL LETTERS** and return before **18 July 2014**

by email to: HOME-Cybercrime@ec.europa.eu

Mr ☐ Ms ☐ (please double-click on the boxes to check them)

<u>Surname:</u>		<u>First Name:</u>	
Organisation:		Function:	
Postal Address:		Postcode:	
City:		Country:	
Telephone:	E-mail:		

Category

(please double-click on the boxes to check them)

- ☐ Speaker
- ☐ Member of national law enforcement authority
- ☐ Expert presenting a project/tool or research; from
 - ☐ National law enforcement authority/other public institution
 - ☐ Research institution
 - ☐ Industry

Name of the project/tool:

What does the tool do?

In what category could it fit?

- ☐ Victim identification
- ☐ Image and video management
- ☐ Network analysis, behaviour assessment, prevention, other functionalities

- ☐ Expert receiving financial support from the European Commission

The European Commission can provide travel and accommodation for some experts, if explicitly stated in the invitation letter

ONLY FOR EXPERTS WHOSE TRAVEL AND ACCOMMODATION IS PROVIDED BY
THE EUROPEAN COMMISSION

envisaged only if that possibility is explicitly stated in the invitation letter

*Dates and means of preferred travel arrangement
to be confirmed by the Commission travel agent at a later stage.*

**(PLEASE DO NOT PURCHASE YOUR OWN TRAVEL AS IT CANNOT BE
REIMBURSED)**

TO HANNOVER	
Arrival from:	Means of transport:
Date and time of arrival:	If flying, indicate flight number:
FROM HANNOVER	
Going to:	Means of transport:
Date and time of departure:	If flying, indicate flight number:

Date: _____ Signature (if on paper):.....

Aine McHugh

From: Richard Browne
Sent: 24 November 2014 16:27
To: Aine McHugh
Subject: FW: Daily Mail Query

From: Keith Flanagan
Sent: 03 December 2013 16:53
To: Richard Browne
Subject: RE: Daily Mail Query

Cheers Richard

From: Richard Browne
Sent: 03 December 2013 16:52
To: Press Office DCENR
Cc: Simon Nugent
Subject: RE: Daily Mail Query

Keith,

I'm afraid the journalist has the wrong end of the stick.

The EU Directive the journalist is referring to 2011/92/EU, on "combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA"

It can be found here;

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:335:0001:0014:EN:PDF>

This Directive relates to child abuse, and in this context, the issues associated with the movement of depictions of same online – all of which are obviously criminal justice matters and as such are entirely matters for the Department of Justice. Article 25 contains provisions around how Member States may approach the use of such material online, which is presently being transposed by the Department of Justice. We have no role in same, and it is a completely different matter to the issue of 'blocking' or filtering material that isn't illegal.

The other Directive referred to in the material released under FOI (I was the decision maker) is the ECommerce Directive (2000/31/EC), which explicitly rules out a State requiring ISPs to enforce a general monitoring provision for material that isn't illegal (Article 15) – this Directive was transposed by the Department of Jobs, Enterprise and Innovation, but patently the general restriction on blocking or filtering applies to every Department. As such, it's not a question of the Minister being willing to impose such measures – as has been made clear on a number of occasions it is not possible for Member States to compel ISPs to block content that isn't illegal. If ISPs choose to offer filters themselves as part of their general commercial offering, that is a different matter, but the State cannot compel ISPs to do this.

The Ecommerce Directive can be found here;

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2000:178:0001:0016:EN:PDF>

As announced last Friday (link to press release below), the Minister has convened a panel of experts to form the **Internet Content Governance Advisory Group** to produce a report on a number of issues in this area, including bullying and harassment online and age inappropriate viewing of content. The Minister has stressed that "Fundamental to their work is the question of striking an appropriate balance in policy terms that ensures the

protection of children and young people but does not limit their opportunities and rights online". This Advisory Group will take submissions from the public and interested groups, and will produce a report for the Minister by the end of May 2014.

<http://www.dcenr.gov.ie/Press+Releases/2013/Minister+Rabbitte+announces+formation+of+Internet+Content+Governance+Advisory+Group.htm>

Regards

R Browne

From: Press Office DCENR
Sent: 03 December 2013 16:25
To: Richard Browne
Cc: Press Office DCENR
Subject: FW: Daily Mail Query

Hi Richard

As discussed. Please see attached previous response to similar query which may be of use.
Keith

From: Jennifer Bray [<mailto:jennifer.bray@dailymail.ie>]
Sent: 03 December 2013 15:54
To: Press Office DCENR
Subject: Daily Mail Query

Hi all,

Just going through FOIs I received from ye re blocking porn via a 'default on' or 'opt-in' service to protect children from accidentally viewing harmful content online. This would be done via ISPs. The FOI s show that the department of communications believe that implementing such a directive could either fall under the responsibility of the department of communications or equally the department of Justice.

They also show a willingness on behalf of the minister to implement such a system. What is the update on this? Are the department working on legislation or directives to block access to certain categories of material unless the internet user specifies directly that they want to?

Thanks a million

Jennifer Bray
Journalist
The Irish Daily Mail
Ph: 085 741 82 35

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Op-Ed Piece by Minister Rabbitte

Whether we like to talk about it or not in polite company, pornography has become an issue in need of discussion in society. But before we do that, we need to make a clear distinction between images of child abuse and other illegal material, and what might be described as 'normal' adult content featuring consenting adults.

The first type of material is illegal to possess, produce or distribute, and there is a strong and evolving body of legislation in place to deal with this. Moreover, and the Gardai, the Department of Justice, and the entire criminal justice system, through measures like Hotline.ie and the Office of Internet Safety, have an excellent track record of rooting out those who would create, share or profit from it. In fact, following on from a recent EU Directive, the Minister for Justice is presently working on a means of transposing this to allow the blocking of illegal material online.

Legal pornography, on the other hand, is something quite different. However, we must acknowledge that there is a world of a difference between an illicit teenage reading of the racier parts of a DH Lawrence novel, and the world that many children and young teenagers now inhabit, where a diverse universe of pornography exists, online and within easy reach. The effect of this ready availability of explicit content, whether children happen across it by accident or by design, in changing attitudes and behaviours is not something that can be overlooked. It is entirely understandable that parents and children's rights bodies are concerned as to how to deal with this.

However, the perennial question is as to the appropriate response by the State, and I remain to be convinced that blanket censorship or a 'default on' blocker is the correct response. Even if it were possible to convince Internet Service Providers of the wisdom of introducing such a measure, and if it were possible to ensure that such measures were not easily circumvented or didn't inadvertently block perfectly acceptable content, the principled question of whether the State should be encouraging service providers to filter or block content to all users, regardless of whether there are children resident, would still arise. The recent UK example is a departure from the European norm, and may well have lessons for us in the future, but at first glance it has a number of difficulties associated with it.

That is not to say that there is nothing that can be done. In the first instance, the most important task is to help educate children, young people and parents as to the risks that can be found online, to support parents and teachers in explaining these issues to children, and to identify the optimal technical solution to protect children. There are a number of existing measures in place in this sphere, such as the Department of Education's Webwise programme (www.webwise.ie). This is an internet safety initiative focused on raising awareness of online safety issues and good practice among students, their parents and teachers. The Office of Internet Safety in the Department of Justice also have a number of programmes in place to support parents, teachers and children in this regard, such as 'Safer Internet Day' and a more general guidance programme.

Similarly, technical solutions have their place. The majority of web connected devices are sold with software already installed to allow certain content to be restricted, and there are a range of tools available online to help parents do the same thing. These solutions are there, and they can help, without resorting to an overarching network level solution that may well turn out to cause more problems than it resolves.

Ireland today is a free, open and inclusive society. We respect individual rights of freedom of speech, of worship and of sexual orientation, but in our recent history it was not always so. We have a less than proud history of censorship, and of a quasi-authoritarian approach to the State exercising absolute authority in determining people's access to information on a wide range of issues, particularly where human sexuality was concerned.

Any move that harks at regression must be examined carefully. The means by which we regulate the internet are evolving, and much remains to be learnt. While Government will keep a close eye on what happens in the UK, for the moment, it appears it appears that the solution for protecting children from inappropriate content online will be a multi-faceted effort by government, industry, educators and, most importantly, by parents.



Better Internet for Children

**Council Audiovisual Working Party
10 September 2012**

**Patricia Manson
Head of Unit, Inclusion, Skills and Youth
DG CONNECT**

Overview of presentation

Better Internet for Children - overview

- Why a strategy now?
- Our starting premises
- What it covers
- Taking it forward – Stakeholders & Funding
 - **CEO Coalition**
 - **CEF**
 - **Next events**



Why a strategy now?

- Key factors
 - **Children going online ever younger & on the move**
 - **Multiplicity of connected devices – smart phones, tablets, games consoles, PCs, TVs etc**
 - **Children are a market for these devices**
 - **Digital single market – opportunity to provide new services and content for children**
 - **Emerging (and maybe disparate) initiatives**
 - **Growing political interest – education and skills, protection, cyber security**
 - **Rapidity (and unpredictability) of change**
- Lack of joined-up approach that recognises children as group with specific needs



Our starting points

- Strengthen opportunities for business
 - **counter possible fragmentation of the market arising from different (co)regulatory approaches and codes eg parental controls, content classification, illegal content**
 - **Improve conditions and market for digital content for children – leveraging production of content, creating user-confidence and trust**
- Strengthen opportunities for children
 - **Support digital literacy and competence – 21st century skills**
 - **Encourage creativity – make the Internet a place to learn and play**



Our starting points

- Mitigate risks and support user confidence
 - **Continue to support protection measures for access to harmful content and contact**
 - **Manage (new) behavioural risks**
- Continue to fight against illegal content, especially child pornography



Developing the strategy

- Acknowledges that children are a group of internet users with specific needs
- Combines and coordinates a series of instruments (regulation, self-regulation, financial support) for making a better internet for children
- Addresses all stakeholders
 - **Commission**
 - **Member States**
 - **Industry, NGOs**
- Strong emphasis on self-regulation – but legislative action not ruled out if needed

Actions around 4 pillars

1. High quality content online for children and young people
2. Stepping up awareness and empowerment
3. Creating a safe environment for children online
4. Fighting against child sexual abuse and child sexual exploitation



Pillar 1 - High quality content online for children and young people

- Stimulate the production of creative and educational content for children
- Promote positive online experiences for young children

Pillar 2 – Stepping up awareness and empowerment

- Scale up awareness activities and youth participation
- Promote digital and media literacy and teaching online safety in schools
- Offer simple and robust tools for users



Pillar 3 – Creating a safe environment for children online

- Provide age-appropriate privacy settings
- Provide a wider availability and use of parental controls
- Provide a wider use of age rating and content classification
- Avoid overspending and inappropriate advertising to children online

Pillar 4 – Fighting against child sexual abuse and child sexual exploitation

- A faster and systematic identification of child sexual abuse material disseminated online, notification and takedown of this material
- Reinforcing international cooperation in the field



Taking the strategy forward

- Relies on industry, Commission and Member States
- Priority given to self-regulation – building on the CEO Coalition actions
 - **Robust reporting mechanisms**
 - **Age-appropriate privacy settings**
 - **Content classification**
 - **Parental control tools**
 - **Take-down of child pornography**
- Continuing to work with industry initiatives – delivering measures to monitor and review
- Member States – scale up their support awareness, operationalise eSafety education





CEO Coalition

- 31 signatories – European and global companies active in EU
- Joining up the value chain: broadcasters and media publishers, device manufacturers, software suppliers, UGC platforms and SNS, Telecommunications providers and ISPs.
- Process – Statement of Purpose and Action plan, limited time frame – Jan – Dec 2012.
- Industry led but commitment to participative approach with 3rd parties and to independent review and monitoring



CEO Coalition - Mid term review July 2012

- Single and robust reporting mechanisms
 - Proposals for implementing reporting apps for smartphones, tablets & browser extensions - links to hotlines/helplines
 - Set of categories defined and to be elaborated
 - Performance criteria and feedback – further work
- Age-appropriate privacy settings
 - Database of settings used by companies currently
 - Recommendation of best practices – third party validations
- Wider use of content classification systems
 - Best practice guidelines for apps
 - Interoperability existing practices – more technical work ongoing



CEO Coalition - Mid term review

July 2012

- Wider availability parental controls
 - Investigated barriers to availability and take-up
 - Deployment by active choice – to be analysed in detail
 - Meetings with vendors of parental control tools – better understanding and improved tools
- Effective take-down of child abuse material
 - Industry practices – best practices, transparency work
 - Followed up through dialogues with hotlines and law enforcement
 - Pilots proposed on proactive measures incl impacts on privacy and data protection



Safer Internet service in CEF

Why?

- Build on initiatives supported under Safer Internet programmes
- Need to scale up efforts
- Develop work to promote access to quality age-appropriate content for children

By 2020

- Integrated, interoperable services at European level to:
 - Share awareness material, knowledge and good practices
 - Encourage youth participation
 - Provide quality content for children from trusted sources
 - Deploy tools to protect children
 - Report and investigate tools for child abuse content online



Connecting Europe Facility

Core services

- Shared and interoperable resources, databases and software tools supporting the pan-European network of Safer Internet Centres in Member States and access to age appropriate content
- Shared technologies to improve the reporting/take-down of sex abuse content in cooperation with police authorities

Generic services

- Helplines and services to support children on better use of and experiences on the Internet
- Tools ensuring access to age-appropriate content/services
- Hotlines for reporting sex-abuse content
- Software enabling fast reporting of grooming, bullying and illegal content and its take-down
- Software systems to allow better identification of child sexual abuse content; technologies supporting respective police investigations to identify victims, perpetrators, commercial trading in CAM



Connecting Europe Facility

- What will the new infrastructure comprise?
 - Core services for Safer Internet Centres
 - Services for users
 - Platform to facilitate access to age appropriate content
 - Secure platform for data supporting hotlines and law enforcement, for cooperation & investigation + supporting technologies and tools

Upcoming relevant actions

- European Parliament own initiative report – Mrs Costa
- EESC committee report
- 17-19 October : Safer Internet Forum
- October: EU-US summit on child protection
- 22 January 2013 – Final review of CEO Coalition
- 12 February 2013 – Safer Internet Day